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3 April 2020

Dear accountable officer

Moratorium on unconditional offer-making

Two weeks ago, I wrote to you about the moratorium on unconditional offers and other changes to existing offers. I am reassured that universities and colleges have adhered to the moratorium. I thank the sector for responding so constructively.

The Universities Minister has today announced an extension to the moratorium on unconditional offers for undergraduate study in the 2020-21 academic year. This extension will continue until 20 April 2020. This letter contains further information about the extension, the exceptions where offers may continue to be made, and the steps the OfS will take as a result.

These are difficult times so we recognise that universities and colleges will be concerned about the next academic year and the impact of the coronavirus pandemic on recruitment. However, acting in ways that may put pressure on students' decision making and harm the stability and integrity of the higher education sector will only make things worse.

Reasons for an extension of the moratorium

The Department for Education and Ofqual have today published guidance for schools, pupils and parents to provide clarity about the process for the award of A-level qualifications this year. The guidance is clear that the grades awarded to students will have equal status to those awarded in other years and should be treated in this way by universities and colleges. The date for A-level results will be announced shortly.

This means that the admissions process for 2020-21 will run in a similar way to previous years. There is therefore no reason for providers to make unconditional offers or to make changes to existing offers for those applicants awaiting their level-3 qualifications and for whom admissions decisions are normally predicated on these qualifications.

It is not in the interests of students for conditional offers to be changed to unconditional offers before they have received their A-level, BTEC or equivalent results. Higher education providers should avoid placing any pressure on applicants through time-limited offers or other inducements at any time, but it is particularly important at this time of increased anxiety. Universities and colleges will also need to ensure that any new conditional offers made to applicants that are below the normal range of offers for the course are not in effect equivalent to an unconditional offer.

We are particularly concerned that offers should not be made or amended during the school Easter holidays, when applicants might receive and respond to offers without any access to advisers. Making decisions during this time is likely to have a particularly negative affect on students who have been identified as vulnerable during the period of the coronavirus outbreak and those who are under-represented in higher education. The extension of the moratorium helps those students.

Further information and exceptions

We do not expect to see changes to offers already made to applicants for 2020-21. However, we recognise that unconditional offers can be made in the very limited circumstances where applicants have already achieved their level-3 qualifications. There are therefore some exceptions to this extension of the moratorium on unconditional offers which we have set out in the **annex** to this letter. We have also published updated questions and answers on our website: www.officeforstudents.org.uk/advice-and-guidance/coronavirus/provider-guide-to-coronavirus/unconditional-offer-making/

Next steps

We will monitor the response of universities and colleges to the extended moratorium and issue further guidance before 20 April 2020 on acceptable offer-making practices for the remainder of this admissions cycle. Students' best interests and the stability and integrity of the higher education sector are best protected by all providers acting responsibly and in line with our guidance.

The OfS is working with the DfE, UCAS and others to ensure the full return to normal operations following the end of the moratorium period. To complement a wider package of measures to stabilise admissions, we are exploring what regulatory powers may be available to us to take enforcement action against providers not acting in the best interests of students and/or undermining the stability and integrity of the higher education sector - including considering options for enforcement of any such actions taken during the moratorium period.

If you have any questions about the issues raised in this letter, or other regulatory matters, please email us at regulation@officeforstudents.org.uk. You can also call the regulation helpline on 0117 931 7305 (0900 to 1700 Monday to Friday).

Yours sincerely

A handwritten signature in black ink that reads "Nicola Dandridge". The signature is written in a cursive, slightly slanted style.

Nicola Dandridge
Chief Executive, Office for Students

Annex: Scope of extended moratorium

A: Types of unconditional offer included within the extended moratorium

The extended moratorium applies to the following types of unconditional offer:

- Unconditional offers based on academic potential
 - Achieved grades at GCSE, and predicted grades in qualifications such as A-levels or Advanced Highers
 - Achieved qualifications below Level 3/SCQF Level 6 (e.g. GCSE/ National 5 grades)
- For the avoidance of doubt this applies to any widespread unconditional offer-making except where specifically allowed for in section B below.
- Unconditional offers made based on criteria or assessment methods other than level-3 qualifications. Including where offers are based on:
 - Interview or audition performance
 - Submission of evidence of work
 - Performance in an internal entrance examination or test
- Unconditional offers linked to a student's decision, including time-limited unconditional offers
- Any type of unconditional offer that is not specifically covered in the exclusions below

We expect providers to continue to make use of contextual information in their decision-making, particularly for applicants from disadvantaged backgrounds. **However, we would not expect this to result in unconditional offers before level-3 results are known.** Providers will need to ensure that any new conditional offers made to applicants that are below the normal offer for the course are fully justified and are not equivalent to an unconditional offer.

Providers are expected to contact the OfS, before they take action, at regulation@officeforstudents.org.uk if they are uncertain about whether a particular type of offer falls within the moratorium. You can also call the regulation helpline on 0117 931 7305 (0900 to 1700 Monday to Friday).

B: Types of unconditional offer not included within the extended moratorium

The extended moratorium will **not** apply to unconditional offers for applicants who have already achieved their level-3 or equivalent qualification which means that unconditional offers in these circumstances can be made from 6 April 2020.